

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED  
2008 SEP -4 AM 10:34

UNITED STATES OF AMERICA,

Plaintiff,

v.

Eric GUZMAN-Lazalde

Defendant,

Magistrate Case No.

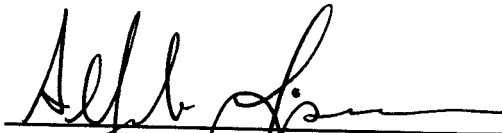
COMPLAINT FOR VIOLATION OF

Title 18, U.S.C., Section 1544 Misuse  
of Passport

'08 MJ2722

The undersigned complainant being duly sworn states:

On or about **September 03, 2008**, within the Southern District of California, defendant **Eric GUZMAN-Lazalde** did knowingly and willfully use a passport issued or designed for the use of another, with the intent to gain admission into the United States in the following manner, to wit: Defendant applied for entry to the United States by presenting Official U.S. passport number **430871432**, issued to **Cuauhtemo Haro Jr** to a Department of Homeland Security, Customs and Border Protection Officer, knowing full well that he was not Cuauhtemo Haro Jr, that the passport was not issued or designed for his use, and that he is not a United States citizen entitled to a U.S. Passport. All in violation of Title 18, United States Code, Section 1544.

  
\_\_\_\_\_  
Signature of Complainant  
Alfredo Loperena, Enforcement Officer  
U.S. Customs and Border Protection

Sworn to before me and subscribed in my presence, this 4<sup>th</sup> day of **September, 2008**.

  
\_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE

9/3/08

**PROBABLE CAUSE STATEMENT**

On September 3, 2008, at approximately 1700 hours, **Eric GUZMAN-Lazalde (Defendant)**, made application for admission to the United States from Mexico at the San Ysidro Port of Entry via the pedestrian primary lanes. Defendant orally declared himself to be United States citizen by virtue of birth in San Diego, California and presented a United States Passport (430871432) bearing the name Cuauhtemo Haro Jr (DOB: 03/11/1990) to a Customs and Border Protection (CBP) Officer. Defendant stated he was going home to Chula Vista, California. The primary CBP officer detected that the passport was photo altered and referred Defendant to secondary for further inspection.

During the secondary inspection, Defendant was queried by fingerprint and photograph comparison through the Automated Biometric Identification System (IDENT). IDENT returned a positive match to the query, identifying Defendant as a citizen of Mexico and a previously removed undocumented alien. Defendant's true identity was verified by 10-digit fingerprint submission through the Integrated Automated Fingerprint Identification System (IAFIS). IAFIS linked Defendant to FBI and Immigration Service records.

At approximately 1900 hours, the San Ysidro Prosecution Unit was notified by CBP Officers in secondary of the case. At approximately 2000 CBP Enforcement Officers responded and took custody of Defendant. At approximately 2037 hours, Defendant was placed under arrest for 18 USC 1544; Misuse of Passport.